

**TOWN OF MANCHESTER  
PLANNING DEPARTMENT**

**TO:** Continuing Legislative Committee on State Planning and Development  
Office of Policy and Management

**FROM:** Mark Pellegrini, Director of Neighborhood Services  
and Economic Development 

**DATE:** June 4, 2008

**RE:** Interim Change to the State Plan of Conservation and Development  
Application of Steven and Linda Botti  
Bush Hill Road – Manchester

***Introduction***

On behalf of the Manchester Planning and Zoning Commission (PZC) I would like to thank the Continuing Committee and OPM for conducting a public hearing on the above referenced proposed interim change to the State Plan of Conservation and Development. I would also like to share with the Committee and OPM the relevant sections of the Town of Manchester Plan of Conservation and Development (Plan) as it relates to the proposed interim plan change.

The Botti's are requesting a re-designation of 260, 262, 274, 330 and 334 Bush Hill Road, approximately 54 acres, from Rural Lands to Growth Area on the 2005-2010 Locational Guide Map. The applicants, in seeking this change, describe their desire to develop the property as an age-restricted common interest community under Manchester zoning regulations.

***Relationship of the Proposed Interim Change and Manchester Plan***

The subject property is located in southwest Manchester, an area that contains almost half of the remaining undeveloped or underutilized land in the community. The majority of this quadrant is designated a Growth Area on the Locational Guide Map with the exception of the subject parcel and other lands along Bush Hill Road to the east. We note this area of Rural Lands is surrounded either by Neighborhood Conservation or Growth Area designations in both East Hartford and Glastonbury on the Locational Guide Map. The property that abuts the subject parcel to the west was granted an interim map change to Neighborhood Conservation in October 2007.

The current Manchester Plan was adopted in 1998 and was revised in April 2004, January 2005, and March 2008. The following is a summary of the portions of the Manchester plan that we offer for your consideration:

- 1) The Manchester Plan's Proposed Land Use map designates the subject parcel and most of the southwestern quadrant for very low density residential development. In the Manchester Plan very low density designations are proposed for areas with poor soil for septic systems, with or without public water, without public sewers, or areas with steep slopes. Areas designated very low density are intended to consist of single-family houses only. In the case of the subject property the lack of public sanitary sewer is a primary reason for the very low density designation.
- 2) The subject property is also included in the Conservation Development Zone on the future Recreation and Open Space System Map, which is part of the Park and Open Space element of the Manchester Plan. The Plan states that in conservation development areas new residential development be subject to conservation development regulations to preserve the rural character of the area, add to the open space system and greenway network, protect significant natural features and habitat, and preserve agricultural land as appropriate. This element of the Plan was revised in April 2004.
- 3) The extension of both public water and public sanitary sewer into the southwest quadrant is an objective of the Community Facilities element of the Manchester Plan. This element was revised and adopted most recently in January 2005. The Plan seeks to ensure an effective and efficient wastewater collection and treatment system for the Town of Manchester, and "encourage(s) and support(s) the replacement, improvement and extension of the wastewater collection system to existing and future development areas especially in the Folly Brook, Salmon Brook, and southwest service areas."

This recommendation is consistent with the Facilities Plan for Wastewater Collection and Treatment Works prepared in 1979, this plan was required by the State Department of Environmental Protection and the Federal Environmental Protection Agency as part of the effort to improve the water quality of the Hockanum River where Manchester's sewage treatment plant is located. The Facilities Plan included an analysis of both plant capacity and the expansion of this system to unserved areas, including the southwest quadrant.

The extension of public water is also consistent with the Community Facilities element of the Manchester Plan. Goal 3 is intended to ensure an adequate supply of potable water resources, supplies and distribution and treatment systems for the Town. Objective d under that goal states "support extension of the water system in the southwest quadrant necessary to meet water system hydraulic demands, to provide future water service to customers currently on private wells and to afford the opportunity to provide water to and for the acquisition of a small private water company who services immediately adjacent to the extension. Construct an additional low zone water distribution storage tank in the Bush Hill area."

- 4) The Housing Element of the Plan, adopted in 1998, encourages the development of a full range of housing types for the senior population among its strategic directions. The Plan also called for a revision of the Town's zoning regulations governing elderly housing, in

recognition of that population's changing needs, housing preferences, and the housing options being offered by both the public and private sectors. In 1998 the Commission adopted the Elderly Housing Development (EHD) regulations to accomplish that objective

***Relationship of the Manchester Plan to the Manchester Zoning Regulations***

The subject property is currently zoned Rural Residential (RR), a designation that permits agricultural uses, single-family homes on minimum lots of 30,000 sq. ft., and other uses considered consistent with residential neighborhoods such as places of worship, daycare centers, schools, etc. The maximum density in the RR zone according to the regulations is 1.3 dwelling units per acre, a net calculation based solely on minimum lot size.

The Botti's have represented to OPM that they intend to apply for an EHD zone change and propose an age restricted, independent living development with 69 units of single-family detached deed restricted housing. The EHD is a floating zone: a district which appears in the regulations but does not "land" on a parcel unless an applicant petitions the planning and zoning commission for a zoning district change and, simultaneously, approval of a preliminary plan of development which, if approved, establishes the development rights on the property. A floating zone change is a legislative act and the PZC has broad discretion when making their decision. One of the threshold requirements for an EHD zone is the provision of public water and public sewers. The Manchester PZC has not received an application for an EHD zone on the Botti property as of this writing.

MP/s

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**APPLICANTS' SUBMITTAL IN SUPPORT OF**  
**APPLICATION FOR INTERIM CHANGE**

Steven A. Botti and Linda T. Botti are the owners of 54.1 acres of land in Manchester, Connecticut known as 260, 262, 274, 330, and 334 Bush Hill Road (the "Property"). Together with their development partner, Bush Hill, LLC (collectively the "Applicants"), they have applied for an Interim Change to the Map<sup>1</sup> to change the designation of the Property from Rural Lands to Growth. The application excludes an additional 5.1 acres owned by the Bottis and located in Glastonbury. The Bottis and their family farmed the Property through three generations, until it was no longer economically feasible to do so. Applicants make this submittal to the Continuing Legislative Committee on State Planning and Development (the "Continuing Committee") and the Office of Policy and Management in support of the application.

The Property is currently zoned Rural Residential (RR). Attached hereto as Exhibit A are the relevant sections of the RR zone district classification. This zone permits the development of 1.3 homes per acre. Applicants desire to protect the rural character of the neighborhood by proposing an age-restricted common interest community of approximately 69 single-family detached residential dwelling units in a cluster design, a density of development that is consistent with the current RR Zone district classification. The age-restricted aspect of the proposal will require that the zone district classification of the Property be changed, however, to Manchester's Elderly Housing Development (EHD) Zone. A copy of the relevant regulations for the EHD zone is attached hereto as Exhibit B. Despite this change, the proposed density of development would not be altered and is significantly less than the 4 houses per acre permitted for single-family independent living units in an EHD zone, and even further removed from the 15 units/acre maximum permitted in the EHD Zone for multi-family

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<sup>1</sup> as defined in the regulations of Connecticut State Agencies Office of Policy and Management Section 16a-24b-1 et seq

elderly or congregate units. The Open Space that would be required in the EHD zone would be 500 square feet for each age-restricted independent living dwelling unit (less than one acre for 69 units), or thirty (30%) percent of the total land area for multi-family development (approximately eighteen acres). By bringing sewer service to the Property (the proposal could not be developed without it), Applicants' proposed plan provides approximately thirty (30) acres of Open Space, nearly twice what the zoning regulations require for multi-family development, and more than thirty times more generous than the requirement for single-family. Much of this open space would be adjacent to a 14-acre parcel immediately to the west of the Property owned by the Manchester Land Conservation Trust. On October 18, 2007, the Continuing Committee approved an interim map change for a 73-unit single-family development proposal that would add an additional 48 acres of connecting open space next westerly of the Land Trust's parcel.

Without sewer service, the Property would have to be developed as a standard subdivision, a fate that would do little to maintain the rural character of the land. The 30,000 SF lots resulting from the absence of public water and sewer would require removal of most of the current vegetative tree cover on the site, including the existing orchard areas. The particular design proposed by the Applicants also provides for the preservation of several natural features, including an existing cider mill, and significant acreage of orchard and woodland on all sides of and within the proposed residential community. Inasmuch as the development is set well back from Bush Hill Road, the rural character of the neighborhood will be further maintained. See Exhibit C for concept plan.

In order to provide sanitary sewer service to the development, Buyer entered into negotiations with the Glastonbury Water Pollution Control Authority (WPCA). Service would be furnished by a line constructed through an easement entering the Property across its southerly boundary from Glastonbury. On November 16, 2005, the WPCA agreed to provide the service, but only to the Property and under those conditions set forth in a subcommittee report

which is attached hereto as Exhibit D. Subsequently, the Glastonbury town attorney added a requirement that the Buyer provide the WPCA with a written statement from the State of Connecticut confirming that the project is within an area consistent with the [State PCD] for the introduction of public sanitary sewers. See Exhibit E.

Public water service would be provided by the Metropolitan District Commission (MDC) from its Glastonbury facilities, entering the Property through the same easement as would accommodate the sanitary sewer service. This understanding is memorialized in a letter from the MDC dated December 2, 2005, attached hereto as Exhibit F.

In the process of developing its concept plan for the development, Applicants held an informational meeting for residents and land owners in the area in March 2007. Approximately twenty (20) area households were represented. None of those in attendance objected to the proposal, and in fact, many expressed an interest in acquiring one of the proposed units for themselves, thereby permitting them to remain in a neighborhood they've come to cherish.

Applicants' proposed development is consistent with the Town of Manchester Plan of Conservation and Development of September 1998, revised April 2004 and January 2005 (the "MPCD"). The MPCD specifically provides that in the southwest quadrant of the town, which is where the Property is located, "new residential development should be subject to new Conservation Development regulations to preserve the rural character of the area, add to the open space system and greenway network, [and] protect significant natural features and habitat".<sup>2</sup> As previously stated, Applicants' proposal provides for vastly more Open Space than is required by the Manchester zoning regulations, preserves the orchards and woodlands, is set well back from the public roadway, and, while there is no connecting town land, its Open Space is adjacent to fourteen (14) acres of the Manchester Land Conservation Trust, all factors serving to preserve the rural character of the area. A conventional subdivision by comparison, with its

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<sup>2</sup> Plan of Conservation and Development /Manchester, Connecticut/Adopted September 1998/Revised April 2004 January 2005/Parks and Open Space/page 6/note f.

large-size lots and well and septic utilities, would allow construction of up to 70 single-family houses, would result in most of the land (all but the wetlands) being cleared for construction, with the resultant loss of the orchards and woodlands, and would fail to accomplish any of the goals set forth in the MPCD.

In the Community Facilities section of the MPCD, one stated objective is to "encourage and support the replacement, improvement and extension of the wastewater collection system to existing and future development areas especially in the...southwest service areas"<sup>3</sup>, while another such objective is to "support extension of the water system in the southwest quadrant"<sup>4</sup>. The Applicants' proposal to deliver both of these public utilities to the Property is, therefore, also consistent with the MPCD.

Although a considerable portion of the southwest corner of the town is designated as very low density (one unit per acre) residential on the Proposed Land Use map included in the MPCD, this density is proposed only for areas with poor soil for septic systems and without access to public sewers<sup>5</sup>, while areas with public water and sewer are assigned a low density designation of one to three units per acre<sup>6</sup>, the condition proposed for the Property in this instance.

Although Applicants are requesting an interim change, it should be noted that the Conservation and Development Policies Plan for Connecticut 2005-2010, suggests that development and infrastructure for Rural Areas should be guided by certain guidelines. One such guideline is to "encourage Rural Plans ... to protect the rural environment through controls and techniques, *such as cluster subdivision*, that direct development patterns in conformity with

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<sup>3</sup> Plan of Conservation and Development /Manchester, Connecticut/Adopted September 1998/Revised April 2004 January 2005/Community Facilities/page 5/note B.

<sup>4</sup> Plan of Conservation and Development /Manchester, Connecticut/Adopted September 1998/Revised April 2004 January 2005/Community Facilities/page 6/note D.

<sup>5</sup> Plan of Conservation and Development /Manchester, Connecticut/Adopted September 1998/Revised April 2004 January 2005/Housing/page 5/note 1 a.

<sup>6</sup> Plan of Conservation and Development /Manchester, Connecticut/Adopted September 1998/Revised April 2004 January 2005/Housing/page 5/note 1 b.

rural values." (emphasis added) Although the plan does not favor costly urban infrastructure for sewer and water, Applicants believe this proposed development does not violate that intention. The sanitary sewerage system will only serve the development (without it any common interest community--cluster--development would not be possible). The water main and sanitary sewer system are to be provided by the Applicants at no cost to the Town of Manchester. The Applicants hope that the Continuing Committee agrees that this request advances the goals of the State Policies Plan.

For all of the reasons set forth herein, Applicants respectfully request that their Interim Change Application be approved.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Stephen T. Penny', with a stylized, flowing script.

Stephen T. Penny  
Attorney for the Applicants



## ARTICLE II

## Section 2

RURAL RESIDENCE ZONES

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2.00 In a Rural Residence zone, no building or land shall be used and no building shall be erected or altered except for the following uses:

2.01 Permitted Uses

The following uses shall be permitted uses in Rural Residence zones:

2.01.01 Dwelling for single-family occupancy subject to the following requirements except as permitted in 2.01.01 (a)

Maximum building density	1.3 houses per acre
Maximum habitable stories	2
Maximum buildable area of lot	30%
* Minimum lot area	30,000 square feet
* Minimum lot frontage	150 feet
* Minimum building-line dimension	150 feet
Minimum front yard	50 feet
Minimum rear yard	30 feet
Minimum side yard	15 feet
Minimum total habitable floor area for houses	1100 sq. feet
Minimum habitable ground floor area for two-story houses	750 sq. feet

\* Except as provided in 2.01.01 (a)

- (a) The minimum lot area, building line dimension and lot frontage may be modified by the Commission at the time of subdivision plan approval in accordance with Section 2.01.01 (b) and (c).
- (b) Where adverse geographical conditions or difficult site configuration exist the Commission may reduce the minimum requirements for area, building line dimension and lot frontage by amounts not to exceed 15% provided the maximum density is not increased.
- (c) In the event the Commission requires a plan of subdivision to include provisions for additional future access roads to lands not included in the subdivision, or for tracts for public utility uses or park and playground purposes, such provisions shall not cause a reduction of the permitted building density, and lot areas, building line dimensions and lot frontages may be reduced by amounts exceeding 15% so that a building density of 1.3 houses per acre is maintained.

2.01.02 Single-family accessory uses:

20.01 The EHD zone is intended to permit a range of housing types for the elderly, either separately or in combination, on a single site or adjoining sites to meet the housing, service and health care needs of seniors.

20.02 Permitted Uses

The entire site shall be devoted to elderly housing, which should encompass the following uses permitted separately or in combination on a site:

(a) Elderly deed restricted independent living in accordance with all applicable provisions of Article II, Section 7.

(b<sup>2</sup>) Multi-family elderly housing:

Specially planned, designed, and managed multi-unit rental housing designed for independent living and providing limited common areas for the use of the residents.

(c) Congregate Housing:

Specially planned, designed, and managed multi-unit rental housing designed to provide supportive environments but also to accommodate a relatively independent lifestyle. A limited number of support services, such as meals, laundry, housekeeping, transportation, and social and recreational activities, may be provided.

(d) Assisted Living Facility:

A managed residential community which provides private residential units and nursing, housekeeping and maintenance services, security, on site management, three meals daily, and laundry service for residents, intended to assist residents with activities of daily living while maintaining a maximum level of independence.

(e) Continuing Care Retirement Community:

A housing development that is planned, designed, and operated to provide a full range of accommodations and services for older adults, including independent living, congregate housing, assisted living, and nursing facility.

(f) Nursing Facility:

<sup>1</sup> Adopted 04/20/98, effective 05/12/98

<sup>2</sup> Amended 06/19/2006, effective 07/08/06

A facility providing a full range of 24-hour direct medical, nursing, and other health services. Registered nurses, licensed practical nurses, and nurses aides provide services prescribed by a resident's physician. Nursing care and restorative physical, occupational, speech, and respiratory therapies may also be provided.

- (g) Apartment, duplex-housing, single family detached housing, rowhouses/ townhouses and group dwellings shall be permitted building types in the EHD zone.
- (h) The following accessory uses may be permitted to provide services and facilities on site for the residents but are not intended for use by the general public except for adult and child day care facilities:
  - 1. Convenience retail shop with maximum of 1,000 square feet of floor area for the sale of food items, prescription and/or nonprescription drugs, households items and gifts for the use of the occupants.
  - 2. Health and therapeutic care facilities primarily for use by the occupants.
  - 3. Library, game room, greenhouse or other recreation facilities, both indoor and outdoor.
  - 4. Automobile parking, garages, and carports.
  - 5. Maintenance buildings.
  - 6. Signs.
  - 7. Radio and television antennae.
  - 8. Storage buildings for use of residents.
  - 9. Adult day care may be developed at the discretion of the Zoning Board of Appeals in accordance with the requirements of Article IV, Section 18.
  - 10. Child daycare center may be developed at the discretion of the Zoning Board of Appeals in accordance with the requirements of Article IV, Section 10.
  - 11. Central service buildings or facilities for providing medical, social, health or personal services, or administrative and management functions.

20.03 Elderly housing development is permitted in an EHD zone provided the Planning and Zoning Commission, after a public hearing, finds that the following standards and criteria have been met:

- (a) Public water and sanitary sewer systems must be provided for the development.
- (b) Except for elderly deed restricted housing, public transportation or adequate municipally provided transportation specifically for and used by the elderly must be available to the site. This requirement may be waived provided the applicant submits satisfactory evidence of sufficient commitment to provide convenient transportation as a service to the residents of the facility. Transportation must provide service to facilities including but not limited to shopping, personal care establishments, health care establishments or practices, adult day care and places of worship.
- (c) Residency requirements shall be imposed by the developer and run with the land limiting the occupancy of elderly housing units as follows:
  - 1. All congregate housing and assisted living units shall be occupied by persons at least 62 years of age who desire or require residential accommodations or support services. For double occupancy at least one occupant must be age 62 and the other at least age 50. A unit may be occupied by the surviving member of a household, regardless of age, if the other household member at the time of death met the age requirements for occupancy.<sup>3</sup>
  - 2. Elderly deed restricted independent living units shall be occupied by at least one person 55 years of age or older. A unit may be occupied by the surviving member of a household, regardless of age, if the other household member at the time of death met the age requirements for occupancy.<sup>4</sup>
  - 3. Multi-family elderly housing shall be occupied by persons at least 62 years of age or older. A unit may be occupied by the surviving member of a household, regardless of age, if the other household member at the time of death met the age requirements for occupancy.<sup>5</sup>
- (d) Reasonable traffic circulation exists to and from the site taking into consideration roadway capacities and level of service, access to parking and access to the site by emergency or other public safety vehicles.

<sup>3</sup> Amended 06/19/2006, effective 07/08/06

<sup>4</sup> Amended 06/19/2006, effective 07/08/06

<sup>5</sup> Amended 06/19/2006, effective 07/08/06

- (e) The proposed housing development shall be reasonably compatible in scale and character with the neighborhood for which it is proposed and shall not adversely affect adjacent properties.

20.04        Site Development

20.04.01    Site and development requirements

- (a) Minimum site area shall be two acres excluding wetlands, except for the CBD or Historic zone where there shall be no minimum lot size.
- (b) The maximum number of multi-family elderly units or congregate units shall not exceed 15 units per acre, for assisted living shall not exceed 20 units per acres, and for nursing facility shall not exceed 25 beds per acre.<sup>6</sup> Density calculations shall be based on total site acreage excluding wetlands and slopes exceeding 15%. This provision shall not apply to CBD and Historic zone sites when existing buildings are converted to elderly housing.
- (c) For all housing types except single family and duplex independent living the following site development standards must be met:
  - 1. Each site shall contain at least thirty percent (30%) of the total lot area as permanent open space, which shall not include land devoted to streets or parking areas, but may include land within the minimum setback areas required herein if approved by the Commission. This provision shall not apply to CBD and Historic zone sites when existing buildings are converted to elderly housing.
  - 2. Included within the open space requirement above, the Commission shall require the development of outside recreation areas suitable to serve the occupants. Such recreation area shall contain at least 150 square feet of lot area for each unit proposed with a minimum of 6,000 square feet of landscaping providing benches, paved walkways, site lighting and beneficial views, shielded from heavy traffic. In the CBD and Historic zones the Commission can approve a combination of indoor and outdoor recreation space to meet this requirement.
  - 3. All utilities shall be underground.
  - 4. All outside utilities and mechanical areas shall be fenced and screened from view by suitable shrubbery and/or construction of a closed picket or screen-type fence or other approved enclosure. All dumpsters are to be

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<sup>6</sup> Amended 06/19/2006, effective 07/08/06

located on a concrete pad and enclosed with a privacy structure at least the height of the dumpster.

5. Buildings shall be residential in appearance and sensitive to surrounding properties. No wing of the building shall exceed a length of three hundred (300) feet, no wall of the building shall exceed one hundred (100) feet in length in an unbroken plane without an offset of at least three (3) feet. Buildings should be compatible in scale with surrounding buildings but shall not exceed forty (40) feet in height. Building coverage shall not exceed thirty percent (30%) of total lot area. This provision shall not apply to CBD and Historic zone sites when existing buildings are converted to elderly housing.
6. Maintenance and storage sheds or similar accessory buildings are permitted when clearly incidental to the principal building and when they do not distract from neighboring property. No accessory building shall exceed eighteen (18) feet in height or be located within any minimum setback areas.
7. Exterior illumination shall be provided where necessary for safe lighting of buildings, walkways, parking areas and driveways. All such lighting shall be subject to the approval of the Commission and be so located and of such design as to prevent direct light rays from extending beyond any point of the boundaries of the property.

20.04.02 Setback requirements: This provision shall not apply to CBD and Historic zone sites when existing buildings are converted to elderly housing.

- (a) Minimum frontage - 60 feet.
- (b) No building or structure shall be built within 30 feet of the property line of the site, or a distance equal to the height of the building or structure, whichever is greater.
- (c) Minimum front yard: 60 feet.
- (d) The minimum space between buildings shall be:
  1. 50 feet where both facing walls contain a window(s).
  2. 30 feet where only one of the facing walls contain a window(s).
  3. 15 feet where neither facing wall contains a window.

## 20.04.03 Minimum Parking requirements:

- (a) Automobile parking spaces for congregate housing shall be provided on the site at a ratio of 1.25 parking spaces for every two residential units plus one for every five units for visitors, plus one additional parking space for each employee on the largest shift.
- (b) Parking for assisted living facilities shall be provided on the site at a ratio of .5 space per unit plus one for each employee on the largest shift.
- (c) Parking for nursing facilities shall be provided on the site at a ratio of one space for each three beds.
- (d) Parking for continuing care retirement communities shall be provided to meet the above ratios, unless the Commission finds that shared parking arrangements can meet the needs of the various elderly housing types on the site.
- (e)<sup>7</sup> Automobile parking spaces for multi-family elderly units shall be provided at a ratio of one (1) space per unit, plus one additional parking space for each employee on the largest shift, plus one for every five units for visitors.
- (f) Automobile parking spaces for accessory uses shall be as required for each specific use in Article IV, Section 9.03. Adequate parking space for other accessory facilities shall be provided at the discretion of the Commission.
- (g) Parking area design and construction shall be in accordance with the provisions set forth in Article IV, Section 9.02. The circulation system shall provide for safe and convenient passenger boarding on and off of mass transit or public transit vehicles.

20.05 Building Design Criteria

## (a) Residential unit minimum floor area

The minimum floor area of residential units exclusive of public hallways and corridors shall be:

	<u>Congregate Housing</u>	<u>Assisted Living</u>
Efficiency Unit	400 square feet	345 square feet
Efficiency Unit with no cooking facility	N/A	325 square feet

<sup>7</sup> Amended 06/19/2006, effective 07/08/06

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7.01 Purpose<sup>1</sup>

7.01.01 A Planned Residence Development zone is a medium density residential district which allows a mixture of various types of housing including single-family, duplex and multi-family dwellings as well as certain accessory uses and special exception uses. Development of the planned site is to be made to encourage the most appropriate use of the site, preserve significant natural features of the site (including trees, steep slopes, wetlands), and provide for housing of moderate cost.

7.01.02 A Planned Residence Development zone shall be established with a view toward conserving the value of buildings and land, encouraging the most appropriate use of land, and with reasonable consideration as to the character of the neighborhood. A Planned Residence Development zone shall allow a mixture of housing types and a development density which is suitable for the particular site. The design elements of the proposed development shall be attractive and suitable in relation to the site characteristics and style of other buildings in the immediate area, and the proposed use will not adversely affect property values in the neighborhood.<sup>2</sup>

7.01.03 All uses are subject to the requirements which are set forth in this section and no buildings shall be used or erected nor land used except as provided in this section.

7.02 Permitted Uses

7.02.01 Single-family houses subject to the following requirements, unless otherwise described in Article II, Section 7.04.06 (b) <sup>3</sup>:

Maximum building density	4.0 houses per acre
Minimum lot area	9000 square feet
Minimum lot frontage	75 feet
Minimum front yard	25 feet
Minimum rear yard	30 feet
Minimum side yard	10 feet
Minimum total habitable floor area	850 square feet
Maximum buildable area	35% of the lot area
Maximum habitable stories	2

- (a) Each single-family house shall be on a separate subdivided lot and be intended for private ownership of house and lot except for elderly deed restricted independent living housing which may also be approved as a common interest community.<sup>4</sup>

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<sup>1</sup> Rev. 01/26/81

<sup>2</sup> Rev. 07/06/05, effective 07/29/05

<sup>3</sup> Rev. 07/06/05, effective 07/29/05

<sup>4</sup> Rev. 04/20/98, effective 05/12/98



- (b) The minimum lot area and minimum lot frontage may be modified by the Commission at the time of subdivision plan approval in accordance with paragraphs (1) and (2) below.
- (1) Where adverse geographical conditions or difficult site configuration exist, the Commission may reduce the minimum area and/or lot frontage by an amount not to exceed 15% provided the maximum permitted building density in the subdivision is not exceeded.
  - (2) In the event the Commission requires a plan of subdivision to include provisions for additional future roads to lands not included in the subdivision or for tracts for municipal public utility uses, such provision shall not cause a reduction of the maximum permitted building density and lot areas and lot frontages may be reduced by the Commission provided the maximum permitted building density is not exceeded.

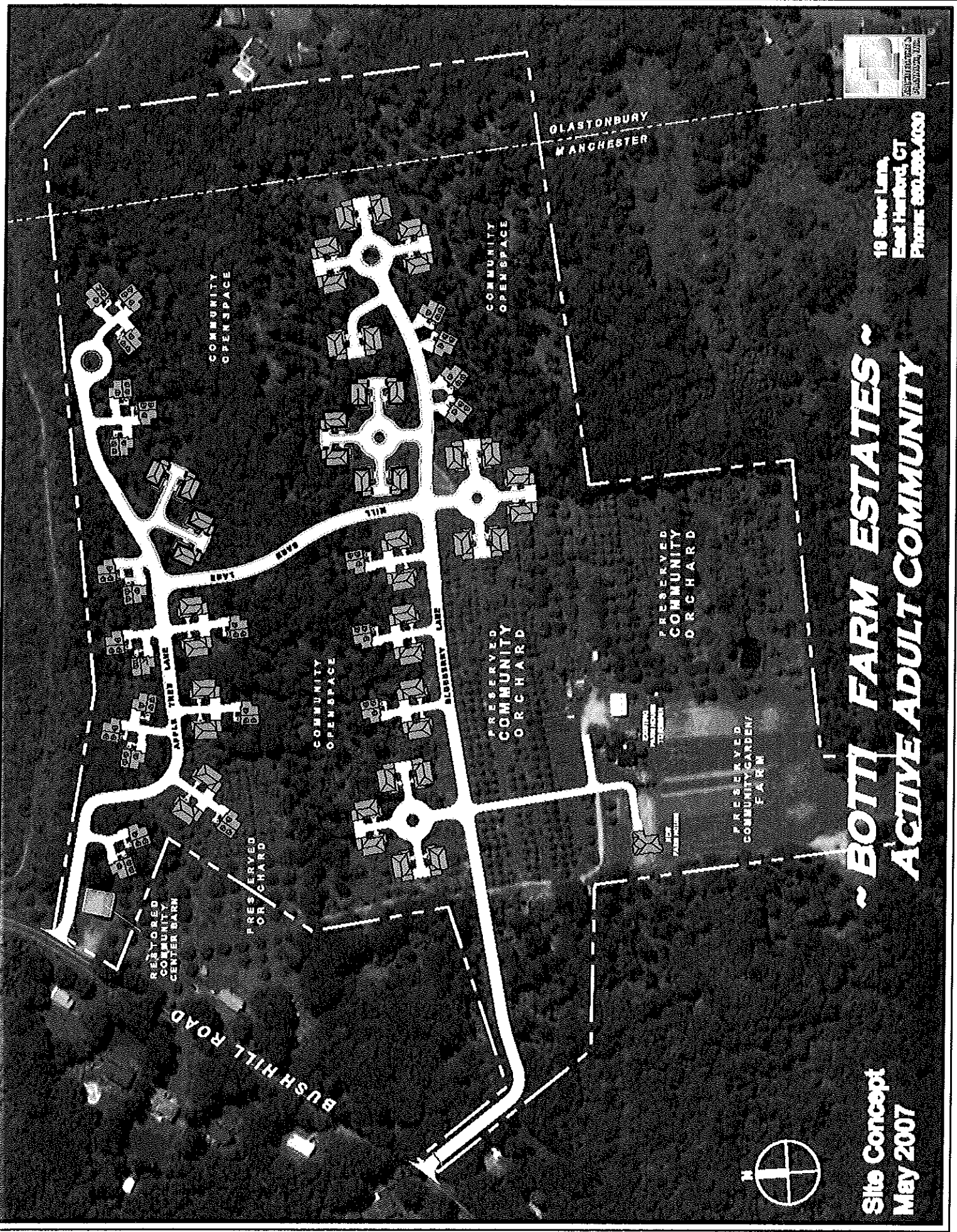
7.02.02 Duplex houses subject to the following requirements, unless otherwise described in Article II, Section 7.04.06 (b) 3<sup>5</sup>:

Maximum building density	4 houses per acre
Minimum lot area for each dwelling	4500 square feet
Minimum lot frontage for each dwelling	40 feet (80 feet for each duplex house)
Minimum front yard	25 feet
Minimum rear yard	30 feet
Minimum side yard	10 feet on one side, 0 feet on interior lot line (being common dividing wall with the other residence)
Minimum habitable floor area for each dwelling	850 square feet (there shall be no mutual floor areas)

- (a) A duplex house shall mean two side-by-side dwellings with a common dividing wall. Each dwelling shall be on a separate subdivided lot intended for private ownership except for elderly deed restricted independent living housing which may also be approved as a common interest community.<sup>6</sup>
- (b) The minimum lot area and minimum lot frontage may be modified by the Commission at the time of the subdivision plan approval in accordance with paragraphs 7.02.01(b)(1) and (b)(2) above.

<sup>5</sup> Rev. 07/06/05, effective 07/29/05

<sup>6</sup> Rev. 04/20/98, effective 05/12/98



# ~ BOTTI FARM ESTATES ~ ACTIVE ADULT COMMUNITY

19 Silver Lane,  
East Hartford, CT  
Phone: 860.888.4639

Site Concept  
May 2007



EXHIBIT D

# Town of Glastonbury

2155 MAIN STREET • P.O. BOX 6523 • GLASTONBURY, CONNECTICUT 06033-6523

## ENGINEERING DIVISION

### FACSIMILE TRANSMISSION COVER SHEET

DATE: 11/28/2005

TO:

ATTENTION: Anthony Gallicchio

FAX NO: 860-666-5483

FROM: Bob Shirshac

RE: Botti Property

MESSAGE: Attached was reviewed and approved ~~over~~ by the WPCA @ its meeting on 11/16/2005. For the Botti Property. I suggest concentrating on item #5 and the rest will follow. Any questions, call me.

TOTAL NUMBER OF PAGES  
(INCLUDING COVER SHEET):

2

NOTE:

OUR TELECOPIER NUMBER IS: (860) 652-7734

IF A PROBLEM OCCURS WITH THIS TRANSMISSION, PLEASE CALL:

(860) 652-7735

November 16, 2005

Legal Subcommittee Recommendations

1. No further Manchester connections shall be allowed to this sewer system.
2. The Glastonbury Water Pollution Control Authority shall review and approve the tank size and design to accommodate this proposal with the intent to pump to the Glastonbury system during off peak hours once daily.
3. An assessment for connection will be the three tier system at the current rates when assessed.
4. All of the collection sewer system, storage tank and pumps shall be located within Manchester.
5. Applicant shall submit to the Glastonbury Water Pollution Authority a draft agreement between the two towns (Manchester-Glastonbury) and the association providing for the applicant and/or the association as form, to be the principle responsible party of the private sanitary sewer system infrastructure. Also noted within the agreement that should the association become insolvent the secondary responsible party shall be the Town of Manchester: As required under section 7-246F of the State of Connecticut General Statutes for the management of community sewer systems the maintenance agreement shall be between the association and the Town of Manchester. This should also be noted within the original draft agreement.
6. When the applicant has the proposed draft agreement approved by the Town of Glastonbury the applicant may at that time submit to the Water Pollution Control Authority for review and consideration a sanitary sewer impact report.

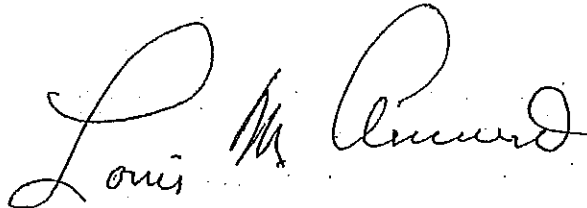
  
Louis M. Amend

EXHIBIT E

May 25, 2006

Mr. Anthony H. Gallicchio  
Bush Hill LLC  
66 Cedar Street, Suite 200  
Newington, CT 06111

Re: Botti Property – Bush Hill Road, Manchester, CT

Dear Mr. Gallicchio:

I received the draft agreement for the sanitary sewer installation on the above-referenced property earlier this month which has been forwarded to the Town of Glastonbury's Town Attorney for his review and comments. The Town Attorney's office contacted me and requested that we confirm that the project area is designated as an area to be sewered under the State Plan of Development, which plan is administered under the Office of Policy and Management.

I would request that you contact the State of Connecticut and have them provide a written statement to us that the project area is, in fact, within an area consistent with their plan as a sewered area. This issue must be addressed before proceeding further with review of the agreement.

If you have any further questions, please feel free to contact me at 652-7742 or by e-mail at [shirshac@glasct.org](mailto:shirshac@glasct.org).

Sincerely,

Robert W. Shirshac  
Senior Engineering Technician

RWS/ce

Cc: Richard J. Johnson, Town Manager  
Daniel A. Pennington, Town Engineer/Manager of Physical Services  
Stephen M. Braun, Assistant Town Engineer  
Michael J. Bisi, Sanitation Superintendent  
Robert J. Young, Town of Manchester, 125 Spring Street, P.O. Box 191,  
Manchester, CT 06045-0191



The Metropolitan District

water supply • environmental services • geographic information

EXHIBIT F

December 2, 2005

Mr. Anthony H. Gallicchio  
Bush Hill, LLC  
66 Cedar Street, Suite 200  
Newington, CT 06111

Subject: Water Availability and Capacity Analysis  
Bush Hill Area, Manchester

*my*  
Dear Mr. Gallicchio,

The Metropolitan District has conducted a water availability and capacity analysis utilizing the District's water distribution computer model to evaluate the feasibility of supplying water to the proposed Bush Hill Area of Manchester via an extension of the District's 8-inch water main in East Opal Drive, Glastonbury to serve the proposed development. Our analysis was based on the following assumptions as provided by Bush Hill, LLC:

- The preliminary layout for the subdivision includes 69 single-family homes, including 64 active adult dwelling and 5 existing single family homes. For the purposes of the water distribution modeling program, 32 of the homes will be 2-bedroom and 37 will be 3-bedroom dwellings.
- A minimum flow rate of 750 gallons per minute (gpm) from each hydrant was presumed for the purpose of the water availability and capacity analysis. Please note that the Town of Manchester has not provided a definitive fire suppression flow rate to the Developer.
- The subdivision will not include an irrigation system (unless a homeowner installs one on their own), nor a community building.
- The mean elevation across the site is 270 feet (NGVD 1929). The maximum elevation for the parcel is 310 feet, with a minimum elevation of 230 feet.

The District estimates a peak hour demand of 115 gpm for the proposed development, which is computed in accordance with the "Guidelines for the Design and Operation of Public Water Treatment, Works and Sources by the Department of Public Health, Water Supplies Section" (DPUC 16-262m-8(c)).

A computer analysis using the Computer Model of the Metropolitan District's Water Supply, Treatment and Distribution System indicates that the District's distribution

system in its current status can not serve this development, as the working pressure, under normal operating conditions in the water main (as measured in the street) at the location of the development will be less than the State requirement of 25 psi.

In addition to concerns regarding the low pressure at the water main in the Bush Hill Area, there are additional concerns in regards to reaching the ultimate pumping capacity of the existing Orchard Street Pumping Station, including the lack of additional storage capacity as part of the water distribution system. These concerns are magnified if the possibility of fire events in the area is considered.

It would be technically feasible to construct and install approximately 1,300 linear feet of new 12-inch ductile iron water main between Belle Woods Drive and Deerfield Drive in Glastonbury, including the installation of pressure reducing valves in Deerfield Drive and Great Swamp Road as necessary to maintain the existing working pressure in the water mains. Under this scenario, the pressure in the water main that would serve the proposed development would be within acceptable State limits. However, there is concern regarding the construction of a water main through wetland areas in Glastonbury to ultimately serve residents in Manchester.

If an upgrade to the Orchard Street Pumping Station, including increased storage capacity, is approved and implemented by The Metropolitan District, then the Developer, at their own cost, could serve the proposed Bush Hill Area development provided that:

#### Scenario A

- The Developer obtains approval from the Town of Manchester and other applicable State permits so that the District can provide the subdivision with water, outside of the District's exclusive service area.
- The Developer designs and constructs an 8-inch water main to connect the existing water main in East Opal Drive, Glastonbury to the proposed development, including looping the water main as required within the planned subdivision.
- The Developer designs and constructs a water (booster) pumping station and a storage tank to comply with State of Connecticut Department of Public Health requirements, and to satisfy fire suppression flow rates.
- The Developer obtains all land and rights-of-way to build the above referenced infrastructure and appurtenances.

#### Scenario B

- The Developer obtains approval from the Town of Manchester and other applicable State permits so that the District can provide the subdivision with water, outside of the District's exclusive service area.
- The Developer designs and constructs approximately 1,300 linear feet of new 12-inch ductile iron water main between Belle Woods Drive and Deerfield Drive in

Glastonbury, including the installation of pressure reducing valves in Deerfield Drive and Great Swamp Road as necessary to maintain the existing working pressure in the water mains.

- The Developer installs individual booster pumps, as necessary, in residential dwellings where the working pressure in the water main (as measured in the street) is between the Department of Public Health required minimum pressure of 25 psi and 35 psi (recommended pressure).
- The Developer designs and constructs a water storage tank and pumps as necessary to provide storage and flow for fire protection. This structure would be owned, operated and maintained by the Developer.

Should you have any questions or require additional information, please feel free to contact myself at (860) 278-7850 Ext. 3208 or Neil H. Amwake, P.E. at Ext. 3438. Thank you.

Sincerely,

THE METROPOLITAN DISTRICT



Robert E. Moore, P.E.  
Chief Administrative Officer

pc: Jennifer Ottalagana  
Neil Amwake